

August 6, 2021

Ben,

I'm issuing this written supervisory feedback to you based on a HIPAA and confidentiality breach that occurred on 8/2/21. On that day, you sent at least two Outlook invitations and cancellations to a large group of people regarding your LLC Case Review on 8/2/21. You included Sonya Brasseur at both her NKHS email and her Yahoo account. As you are aware, Sonya left employment at NKHS on May 7, 2021. Lynn Vallieres emailed both of us on May 6, 2021, requesting that we remove Sonya's email addresses from our list of contacts at NKHS effective close of business on Friday, May 7th. Lynn then emailed us an update requesting that we add Michelle Baker to our list of contacts at the beginning of June 2021.

Even though Sonya's NKHS account is closed, she has access to your communications via her Yahoo account; because she has worked with many of our shared clients, she could easily identify the clients by their initials and their activities you noted. You were notified of your error by Lynn Vallieres from NKHS via an email at 8:52 a.m., yet you sent another Outlook invitation at 9:12 to the very same list you used earlier. In addition, Michelle Baker was not included in any of your Outlook invitations.

I have filed an incident report with AHS as directed by James Smith, Deputy Director and HIPAA Compliance officer, and I need to issue this feedback in writing to ensure that we have done due diligence in making sure you do not do this again. It is critical that you check all your emails prior to sending them to ensure that you are protecting client confidentiality, identifiable information, and activities. When you are scheduling or rescheduling meetings you must check to ensure you're sending Outlook invitations to only the people who need to receive them and no one else. In addition, you can no longer include notes in the lower section of your Outlook invitations if they contain client names or initials or client updates. You are welcome to email that information separately to only the team members, or verbally relay the information in the meeting, but it can no longer be in writing embedded within the invitation. As you are aware, AHS, DAIL and DVR take this very seriously and you need to take this very seriously as well. If you need supports around changing your process with this, I am here to assist you.

Karen Blake Orne, MA, CRC
VR Senior Counselor II